

Komiti o te Kaporeihana me ngā Whakahaere | Corporate and Operations Committee



Kaupapataka Wātea | Open Agenda



Notice is hereby given that an ordinary meeting of the Corporate and Operations Committee will be held on:

Ko te rā | Date: Wednesday 29 June 2022
Wā | Time: 9.00am
Wāhi | Venue: Council Chambers
35 Kenrick Street
TE AROHA

Ngā Mema | Membership

Koromatua | Mayor

Ash Tanner

Koromatua Tautoko | Deputy Mayor

Neil Goodger

Kaunihera ā-Rohe | District Councillors

Donna Arnold

Caitlin Casey

Teena Cornes

Bruce Dewhurst

James Sainsbury

Russell Smith

Kevin Tappin (Chair)

James Thomas

Adrienne Wilcock

Sue Whiting

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1 Whakatūwheratanga o te hui | Meeting Opening

2 Ngā whakapāha/Tono whakawātea | Apologies/Leave of Absence

At the close of the agenda no apologies had been received.

3 Pānui i Ngā Take Ohorere Anō | Notification of Urgent/Additional Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
 - (i) The reason why the item is not on the agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
 - (iii) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

4 Whākī pānga | Declaration of Interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.

5 Whakaaetanga mēneti | Confirmation of Minutes

Minutes, as circulated, of the Ordinary meeting of the Corporate and Operations Committee, held on 25 May 2022

6 Papa ā-iwi whānui | Public Forum

At the close of the agenda, there were no speakers scheduled to the Public Forum.

7 Pūrongo me whakatau | Decision Reports

Staff Long Service Presentation

CM No.: 2592734

Rāpopotonga Matua | Executive Summary

John Bouttell will be presented with a Long Service Award in recognition of 20 years' service to Matamata-Piako District Council.

Tūtohunga | Recommendation

That:

1. The Information be received.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Stephanie Hutchins Governance Support Officer	
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Approved by	Sandra Harris Placemaking and Governance Team Leader	
	Erin Bates Strategic Partnerships and Governance Manager	

7 Pūrongo me whakatau | Decision Reports

Matamata Community Health Shuttle Trust - Relocation of Garages to Hetana Street Recreation Reserve

CM No.: 2595070

Rāpopotonga Matua | Executive Summary

The Matamata Community Health Shuttle Trust (MCHST) wishes to purchase an additional van to take its fleet to four vans. The Trust wants to garage the four vans in one location.

Three vans are currently garaged at Railside in Matamata.

Council has considered a range of alternative locations and has determined that the Hetana Street Reserve is an acceptable option.

The relocation to the new site will require the reclassification of part of the Hetana Street Reserve.

The report proposes an apportionment of costs for the garage relocation project.

Council can determine if it wishes to contribute to the project on a different basis.

The costs arising from the project are unbudgeted and there have been two potential funding sources identified:

- Fund from any unspent operating budget for the current financial year
- Fund from a special fund

Tūtohunga | Recommendation

That:

1. Council approve the relocation of the garages to the sculpture park in Hetana Street Reserve and commence the reserve reclassification process.
2. Council determine the cost apportionment for the project.
3. The source of funding be _____

Horopaki | Background

In April 2021 the MCHST requested Council approval to build two further garages adjoining existing garages adjacent to the Railside building.

MCHST plans to increase its fleet to four vans and wanted to have all vehicles garaged together.

Staff working with MCHST had no issue with the proposal provided it met all regulatory processes.

Staff were unaware that the expansion proposal was not supported by the Matamata Resources Trust (Railside).

When this was brought to Council's attention the two Trusts were requested to find a mutually acceptable solution.

Railside has ambitions to expand the current building to accommodate demand and additional activities in the future.

Agreement between the two Trusts could not be reached.

In March 2022 MCHST requested that Council consider a number of options:

1. Upon the expiration of the Railside lease on 31 July 2022, vary the current lease into two leases. The MCHST would lease the area that would contain the four garages. Railside would lease the balance.
2. To accommodate the potential for Railside to expand the current building footprint, MCHST offered to reduce the number of additional garages to one.

It is understood that in a meeting with Council representatives, the Trust presented four alternative locations:

- The sculpture area at Hetana Street Reserve
- Pohlen Park
- Swap Park
- The new dog park

Council discussed these matters at a workshop in April 2022 and identified Pohlen Park as its preferred location. This was communicated to the MCHST noting that Council would be prepared to contribute to the cost of the relocation.

MCHST subsequently requested that Council confirm the level of contribution it will make to the project.

MCHST proposed that the contribution be based on the Trust funding all the costs for the additional two garages. Council would meet 100% of the costs the Trust would not have incurred except for the relocation or 50% of other costs (eg. Building consent).

A report discussing the above issues was presented to a Council workshop on 25 May 2022.

This included the estimates and cost apportionment as proposed by MCHST.

An MCHST representative provided the following additional information for tabling at the workshop:

Matamata Community Health Shuttle Trust's philosophy, is to provide our volunteer Drivers and Supporters with modern, well maintained and clean vehicles. To this end, the Trust has always provided garaging for all of its vehicles. Drivers never have to scrape ice off the windscreen and windows on a frosty morning and when it is raining, can access the vehicle in comfort. They start off each trip in a clean vehicle that has been protected from the weather and is neither too hot, or too cold. Security is also important, as each bus carries a defibrillator, a full first aid kit and other equipment. Due to this philosophy, the Trust has no difficulty in recruiting Drivers and Supporters and has a waiting list for those positions.

...I would also like to reiterate Matamata Community Health Shuttle Trust's offer of compromise regarding the garage extension. I refer of course to the proposal to extend by one bay into the carpark, rather than the original proposal of two bays towards the Railside building.

- *Railside Trust encouraged MCHST to build the garage in its current location, Why should Council now be lumbered with huge relocation costs, due to a change of Trustees, some of whom have a different agenda.*
- *Relocating the garage is not a wise spending of ratepayers funds, particularly when an acceptable alternative is available.*
- *MCHST takes pride in that it has never requested any funding from Council, (apart from the Resource Consent Assistance Fund) and is embarrassed that due to Railside Trust pressure on Council, we may be forced to do so.*
- *MCHST is concerned regarding what the public reaction will be, when the relocation cost becomes general knowledge. No doubt Council and MCHST will be greatly criticised, while the blame is not due to either of us.*
- *Wasting money on relocating MCHST garage would set a precedent and it is very likely that Morrinsville and Te Aroha Health Shuttle operators would justifiably seek similar funding from Council, for their organisations.*
- *Common sense needs to prevail. The garage is where it is. With a small one bay extension into the car parks, there will continue to be no interference with the operations of Railside, or anyone else and Council would be saved the huge relocation costs. An easement in Council's lease to Railside, is all that is needed.*

An elected member had been in communication with St John's ambulance in Matamata. The elected member advised the meeting that St John's is prepared to accommodate the garages.

While there were no decisions made, Council provided firm direction on a number of issues:

1. Council wants to take a strategic view of the development of Hetana Street Reserve and the central business district. As a result it does not now think that Railside by the Green is an appropriate location for the Health Shuttle garages.
2. The Matamata Resources Trust lease renewal (ie Railside) will proceed with the current area of land.

Council's position (ie firm direction) was reported to the MCHST representative including the preference for the St John's Ambulance site.

The MCHST representative responded as follows:

You comment that no decisions were made at the Council workshop, but that they did "decide" that Railside is not an appropriate place for the Health Shuttle Garage. Councillors also "decided" to renew the lease of the current area of land to Railside. Both of those non-decisions will have an immense impact, as they will cause the Health Shuttle to be evicted from Railside.

Will you please advise when these predetermined issues will come before an official Council meeting, as some of our 50 Volunteers wish to attend that meeting. They are absolutely gutted that Council would evict us and want to see which Councillors vote against their interests. No doubt, some of the people who have enjoyed some of the 33,000 passenger trips on our Health Shuttles and the press will share that interest.

There is also the question regarding the legality of Council leasing land to a third party, (Railside) when it has previously authorised the occupancy and the erection of a Garage to the Matamata Community Health Shuttle Trust.

In reference to the St John proposal; We have no objection to Council's decision to hold off on further work on Pohlen Park. However, while the application to St John was made with good intent, it was not initiated by MCHST and is unacceptable to the Trust, for several reasons. The main reason is, that while the current St John governance body may support leasing to MCHST, future members of that governance body may choose not to honour their predecessors commitment and proceed to evict us.

In my letter dated 5th May 2022, I pointed out that MCHST needs certainty that Council's contribution will cover the full cost of its requirement to relocate the Health Shuttle Garage. We reluctantly agreed to relocate subject to Council committing to that. We have not received that commitment from Council and until we do so, MCHST cannot commit to relocating.

Subsequently an elected member met with an MCHST representative in Matamata to discuss the situation. It is understood that it was agreed to request Council to consider the location of the garages in the Hetana Street Reserve. The location being the sculpture park area.

This was discussed at a Council workshop on 1 June 2022.

As a result the following communication was issued to elected members:

At the workshop yesterday afternoon Councillors reviewed their position on the relocation of the Health Shuttle Garages on the Railway Common area (adjacent to the sculpture park).

As I understand it the Shuttle garages staying at the Railway Reserve, in the sculpture park area, has been accepted . This will require a formal decision of Council.

To accommodate this relocation will require the alteration of the Reserve Status from Recreational to Local Purposes Reserve (as for Pohlen Park, this can be expanded on in the formal report to Council) followed by a Resource Consent.

The schedule below identifies all the elements associated with the project (including Councils regulatory process) and a cost estimate for each item

The schedule was prepared for Pohlen Park, but other than a few details the costs will likely be similar.

I assume the question of whether Council contributes to any of these costs will be raised.

Legal and consenting costs (reserve status ,BC,RC , Project liaison) are estimated around \$30000. There may also be some costs arising as the result of a Resource Consent (e.g. landscaping) and a small contingency is included below.

Council is now requested to formally consider the matter.

Ngā Take/Kōrerorero | Issues/Discussion

Regulatory processes

Hetana Street Reserve is a Recreation Reserve. Council is not permitted to lease the Recreation Reserve for purposes other than recreation or ancillary activities.

The Staff view is that the proposed garages would not be an ancillary activity.

Council could reclassify a part of the reserve to Local Purpose Reserve to accommodate the garages.

Reclassification must follow a statutory process including public notice and provision for submissions.

We would need to engage expertise to manage the reclassification process. An amount is included in the project budget for this purpose. This provision has been made based on a 3 month time-frame. The adequacy of the provision will not be known until formal proposals have been received.

If the reclassification process is successful, a resource consent and building consent will be required. MCHST will manage these processes.

Elected members should consider any regulatory responsibilities they have (ie Hearings Commissioner) when considering this issue.

Affected Parties

The reserve reclassification process and the resource consent process include processes to notify affected parties.

It would be considered good practice to make contact with the affected parties before the regulatory processes commence.

The responsibilities for these processes will fall on Council (reserve reclassification) and MCHST (resource consent) respectively.

Hetana Street Reserve

Council started a masterplan for this park which has not been completed. During that process, various people made suggestions for better/alternative use of the former sculpture park area.

Ideas mentioned included wanting a larger continuous green space, seating, play areas etc.

There were various design responses in draft plans including:

- relocating the entrance,
- providing additional carparks
- BBQ area in the sculpture park area
- extending the village green.

The masterplan process is still to be completed

There may be a reputational risk that Council's decision will be considered an ad-hoc approach. That the location of the garages is not compatible with the long term use of the area or the intent expressed by the community.

Looking at the issue in the context of the current situation:

- There are 3 garages already located in the adjacent local purpose reserve (Railside leased area). It is difficult to envisage how the addition of one garage will have a significant impact on the area.
- It is likely to be possible to accommodate the garages and still achieve design outcomes sought by the community.

Assumptions

The following assumptions have been made:

- This is a MCHST project
- MPDC will handle the reserve reclassification process.

- The existing garages on the southern end of the Railside site will be removed at no cost to Council ie the site will be reverted to bare land.
- All other processes will be the responsibility of MCHST.
- The Trust will own the building and will lease or have a licence to occupy the land.
- All ongoing operating costs for the building will be the responsibility of the Trust eg insurance, water rates, power etc.
- The lease or licence to occupy will be set at a peppercorn rent
- MCHST will communicate with the Matamata Resources Trust about the project and the relocation of the garages.

Resourcing

MCHST has advised that it will project manage the build.

Regulatory processes - we will engage suitable expertise to manage the reclassification process.

Project management resource will be allocated to manage Council's obligations. This is expected to be a minor cost as:

- We will engage external resource to manage the reserve reclassification process
- The remaining aspects of the project will be the responsibility of MCHST.

Property administration and legal – At this stage we would use internal resources to address eg lease agreement etc. The costs for these services are recoverable against the project albeit funded by Council.

Time-frame

The following table provides an indicative time-frame for the completion of statutory processes.

Council	Formal report to Council	June
	Engage Regulatory expertise	July
	Engage Project manager (if required)	July
	Non-statutory affected party discussions	August
	Reclassification	August -October
MCHST	Resource consent (ie allowing for Christmas period & office closure)	November-February
	Building Consent (assuming this can run in parallel to an extent with the resource consent process).	January-February

The issues that could impact on this time-frame are:

- Formal objections to the regulatory processes resulting in the need for hearings
- The availability of suitable expertise to manage the reclassification process within the time-frame indicated.

Mōrearea | Risk

Regulatory process – the project may be stopped or delayed through the regulatory process. The mostly likely source being objectors to the reserve reclassification process or the resource consent.

Finance – some of the costs are estimates and may increase due to market conditions or issues that are discovered. We have incorporated a small contingency on Council's share of the project.

Public perception – we understand that MCHST's activities are supported by the community and there will be public support for this project. On this basis we believe it is unlikely that there will be objections to the project.

Setting a precedent - allowing a garage for one community group at a recreation reserve may create expectations from other user groups for a dedicated facility at a park. A decision to fund this project may create a precedent or expectation for Council funding for other community organisations.

Abandonment of facilities - There is always a risk that a community group may cease to exist and that Council may 'inherit' abandoned facilities. This may give rise to unforeseen costs. This risk can be minimised by entering into a lease agreement as well as inspections/monitoring. Risks can be minimised if the building is relocatable.

Disagreement over use and maintenance - a lease or licence would clarify who is responsible for what.

Privatisation of public space - when leasing parts of a park to a specific user group there is always a risk that it could be seen as providing for private or exclusive use of a public space.

Time-frame risks – these have been identified earlier in the report.

Ngā Whiringa | Options

Option 1. Status Quo (ie no additional garages, existing garages remain).

Option 2. Approve the relocation of the garages to the sculpture park in Hetana Street Reserve and commence the reserve reclassification process.

Option 3 Identify an alternative location for the garages.

Council has already informally indicated that it prefers Option 2.

Option 1 does not meet the current or future needs of MCHST or Matamata Resources Trust.

Option 3 – Council has already looked at a range of alternative sites. On balance Hetana Street Reserve has been determined as being the most acceptable to Council and MCHST.

Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations

Legal

The required regulatory processes are noted above.

Railside's lease expires on 31 July 2022 and the renewal process is proceeding. The Board understands that the relocation of the existing garages will take time. The Board has advised that it understands that the garages may need to remain in use for a further 12 months.

The lease agreement for MCHST will be a standard agreement.

Policy

Parks and Open Spaces Strategy 2021-51

Pohlen Park falls under the Sports and Recreation Park management category. These are areas set aside and developed for organised sport and recreation activities, recreation facilities and buildings, often multiple use. These parks may also provide for a range of community activities and facilities

Reserve Management Plan

The General Policies Reserve Management Plan 2019 and the Active Reserves Management Plan 2009 apply to Pohlen Park. The General Policies RMP 2019 contains common management objectives and policies. The Pohlen section of the Active Reserves RMP 2009 deals with site-specific issues concerning Pohlen Park.

Section 7.2 of the General Policies RMP deals with buildings and structures on reserves. The objectives are: to ensure the design and scale of any new buildings are appropriate to the character and purpose of the reserve; to facilitate public recreation and enjoyment in keeping with the purpose of the reserve; and to optimise the use of existing buildings where practicable. Specific policies relevant to the proposal:

- “1. Buildings may be provided for the specific proven needs of the users where this does not detrimentally affect the appearance or utilisation of the park.
2. Where practicable existing buildings should be utilised.
3. New buildings will only be allowed if it is not practicable or suitable to use an existing building; modify an existing building; or share existing facilities with other users.
4. New buildings should only be located where:
 - a. The new building (and any associated car parking) does not unduly restrict use of the remaining area for outdoor recreation.
 - b. The new building does not obstruct entrances or exits to the reserve.
 - c. The new building does not detract from the open nature of the park, especially as seen from surrounding properties and roads.
5. The design of all buildings and structures proposed to be erected shall be referred to Council or its delegated representative for approval prior to construction.
6. All new buildings and structures shall be of a size and design that:
 - a. Is appropriate to the purpose of the reserve;
 - b. Is appropriate to the character of the reserve; and
 - c. Is of an appropriate architectural standard for a public building or structure.
7. Structures which do not require resource or building consent shall only be installed if they have been approved in writing by the Asset Manager (or their delegated representative).

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

It has been identified that objections to the regulatory process presents the greatest risk to this project.

It is anticipated that there will be widespread community support due for MCHST. Council has had extensive discussions at workshops on the subject which have been public excluded. The Community has not had the opportunity to observe or follow the discussions.

Council may wish to consider how this decision and the resulting processes should be communicated to the Matamata Community.

Ngā take ā-lhinga | Consent issues

The Consent issues are identified in the report.

Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision

Theme: Healthy Communities

Community Outcome: Our community is safe, healthy and connected.

Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source

An initial project budget is outlined below based on the respective responsibilities assumed in this report.

Council's contribution will be an operating expense as the asset is to be owned by MCHST.

There is no budget allocation for this project.

Staff have identified 2 potential sources:

- Fund from any unspent operating budget for the current financial year
- Fund from a special fund

The MCHST cost is based on the Pohlen Park project where most estimates were provided by MCHST. The costs for the sculpture park area may differ.

Council can decide to make a contribution beyond the amount contained in this report.

Note there is no provision in this budget for hearings arising from objections to the regulatory process.

ITEM	ESTIMATE
	\$
Council	
Change of status of reserve	15,000

(external provider) and resource consent management

Project liaison, Legal and Property administration	5,000
Reinstatement of the site	5,000
	25,000
Contingency	2,500
Council Total	27,500

MCHST

Resource consent	5,000
Building Consent	1,500
Temporary Power	300
Site Preparation	2,000
Water supply to Building	500
Electrical Supply to Building	1,000
Electrical Work to extension	2,500
Rainwater disposal	1,500
Concrete pad	13,720
Garages	59,000
Geotechnical assessment for building consent	2,500
	89,520

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Manaia Te Wiata Group Manager Business Support	
Approved by	Manaia Te Wiata Group Manager Business Support	

7 Pūrongo me whakatau | Decision Reports

Submission on the National Adaption Plan

CM No.: 2595658

Rāpopotonga Matua | Executive Summary

In 2020, the central government launched the first national climate change risk assessment. This risk assessment laid the foundation for a national adaption plan, which outlines the Government's response to these risks.

On April 2022, the Ministry for the Environment asked for consultation on their "Draft national adaption plan" with regards to adaption to climate change in New Zealand. On the 25th of May 2022, the first draft national adaption plan was workshopped in Council. Council provided their insights and experience, which helped shape the submission on the "draft national adaption plan," that was submitted on the 3rd of June 2022.

Tūtohunga | Recommendation

That:

1. That the information is received.
2. That the submission is retrospectively endorsed.

Horopaki | Background

The "draft national adaption plan" is part of a larger Government policy framework to respond to climate change. Driving this change is the Climate Change Response (Zero Carbon) Amendment Act (2019), a legal framework that enables New Zealand to meet its international obligations under the United Nations Framework Convention on Climate Change, the Kyoto Protocol and the Paris Agreement.

The goals of the Climate Change Response (Zero Carbon) Amendment Act are to:

- Contribute to the global effort under the Paris Agreement to limit the global average temperature increase to 1.5 degrees Celsius above pre-industrial levels.
- Allow New Zealand to prepare for, and adapt to, the effects of climate change.

As part of the Climate Change Response (Zero Carbon) Amendment Act, the Climate Change Commission is to produce six-yearly climate change risk assessments, while the Government is to produce national adaption plans that are implemented and monitored by the Climate Change Commission. Matamata-Piako District Council provided a submission on the draft for the first national adaption plan on the 3rd of June 2022.

Resource management reform is also linked to this wider policy framework change through the Climate Adaption Act. The Climate Adaption Act is one of the three new Acts under the proposed

resource management system. The Climate Adaption Act seeks to address complex legal and technical issues associated with managed retreat and funding and financing adaption.

Ngā Take/Kōrerorero | Issues/Discussion

The attached submission “Matamata-Piako District Council Feedback to Draft National Adaption Plan” covers the following topics:

1. RMA Reform.
2. The Role of Māori, Iwi, and Hapū.
3. A Holistic View on Natural Environments.
4. The Role of Central Government.
5. The Role of Local Government.

Mōrearea | Risk

Implementation of the national adaption plan may apply greater pressure on local government resources and increase requirements on staff.

Ngā Whiringa | Options

Option 1. Retrospectively endorse the submission.

Option 2. Withdraw the submission.

Recommendation: Option 1. Retrospectively endorse the submission.

Reason: It is important that the views of our community are captured by our local representatives and that these views help shape central-government policy.

Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations

- It is likely that the national adaption plan and the associated changes will have an impact on our organisation. Yet, we may not know the full impact until these changes are finalised.

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

This is a national plan and the government has therefore lead the consultation with the community. We have however advised our community through mediums like anntenno / facebook that this consultation is taking place. Some high-level timeframes from here are:

- The first National Adaption Plan is expected to be published in August 2022.
- The second National Climate Change Risk Assessment (NCCRA) is to be published in 2026 and the second National Adaption Plan in August 2028. A climate change risk assessment to be published every six years with a national adaption plan following based off of this risk assessment.

Ngā Tāpiritanga | Attachments

A¹. MPDC Feedback on Draft National Adaption Plan June 3rd. - FINAL



Ngā waitohu | Signatories

Author(s)	Lachlan Pratt Graduate RMA Policy Planner	
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Approved by	Ally van Kuijk District Planner	
	Dennis Bellamy Group Manager Community Development	



Matamata-Piako District Council

Feedback to Draft National Adaption Plan

3 June 2022

35 Kenrick Street - PO Box 266 - Te Aroha 3342 - www.mpdcc.govt.nz
Morrinsville & Te Aroha 07 884 0060 - Matamata 07 881 9050 - Fax 07 884 8865



Ministry for the Environment
RM.reform@mfe.govt.nz

From:
Matamata-Piako District Council
C/- The Chief Executive
PO Box 266
Te Aroha 3342

Contact details: Ally van Kuijk
Email: AvanKuijk@mpdc.govt.nz
Phone: 07 884 0060

Submission:
This is feedback by the Matamata-Piako District Council on Draft National Adaption Plan. The content of this feedback follows overleaf.

Council appreciates the opportunity to provide comments on the matters raised.

Signed:



Don McLeod
Matamata-Piako District Council

35 Kenrick Street - PO Box 266 - Te Aroha 3342 - www.mpdc.govt.nz
Morrinsville & Te Aroha 07 884 0060 - Matamata 07 881 9050 - Fax 07 884 8865

General Statement

Matamata-Piako District Council (MPDC) would like to see a considered and holistic approach to climate change so that decisions that we make are affordable now and in the future. As a result any action we take, needs to be specific to the local environment and holistically evaluate the benefits and costs on our communities taking into considerations the four well-beings. Any adaption to climate change is a continual process that requires on-going communication and collaboration between central and local government, our communities, Iwi, and stakeholders. A collaborative approach ensures that we realise the best outcomes for all aforementioned parties moving forward.

Introduction

This feedback is presented on behalf of the Matamata-Piako District Council. Matamata-Piako District is one of eleven Districts within the Waikato Region, it comprises of 175,000 hectares and is bound by the Kaimai Ranges in the east. The District is well known for its dairy, chicken, and cropping industries, as well as its Victorian heritage buildings and thoroughbred racing. We acknowledge that these industries may face challenges due to changing weather patterns, and drought in particular.

The District has a total population of 34,404 with 58 percent of this consisting in the urban areas of Matamata, Morrinsville, and Te Aroha, while the remaining 42 percent is within the rural areas of the District. We have seen significant population increases within our urban towns, with the last census period recording an increased population by 24 percent in Matamata, 18 percent in Morrinsville, and 21 percent in Te Aroha.

The Matamata-Piako District is also home to many diverse environments, like the Kaimai-Mamaku Forest Park and the 10,200 hectare Kopuatai Peat Dome, a globally unique wetland. Although the Matamata-Piako District is not a coastal environment, any change in weather patterns does pose challenges to our District. The towns of Te Aroha and Waharoa are predisposed to the risks of flooding due to their connections to the wetlands and the Waihou River



Feedback

We are thankful to have received the opportunity from the Ministry for the Environment to provide feedback on the draft national adaptation plan. With any change in policy, MPDC wishes to ensure that local input is provided for. It responds to the matters raised in the discussion document as follows:

1. RMA Reform

The draft national adaption plan discusses that Councils may be able to undertake a risk assessment and gather data to inform the regional spatial strategies (RSS). This would identify different levels of risks throughout the region, such as areas that are prone to a high risk of flooding. This data may then be used to develop a plan for managed retreat options within the at risk area.

The proposal has a significant reliance on reforms at this stage. Council believes that a transitional stage is needed to address the impacts of organisations to responding appropriately to these changes. In the interim of the resource management reform, what is the legal standing of the National Adaptation Plan?

In addition, the sheer scale of the many actions and reforms at the moment (such as RMA reform, Local Government reform, and Three Waters reform) should be acknowledged and recognised.

2. The Role of Māori, Iwi, and Hapū

We are supportive of the inclusion of Māori in all aspects of policy change and reform. This should include, but not be limited to the Rauora framework as the foundation from which iwi, hapū and whānau can apply their own mātauranga-a-iwi (knowledge with an iwi-specific base).

We are supportive of the use and sharing of mātauranga Māori, science, data, and knowledge through the design and development of the Adaptation Information Portal for the purpose of informing emergency management.

Recognition is needed with regards to the limited resources and funding for Māori to participate in current reforms, strategies, plans and actions – this is not a new issue.

3. A Holistic View on Natural Environments

We are supportive of a holistic system wide action approach at both the local and central level of government for any policy change. Yet, the natural environment section of the “draft national environment plan” seems to focus solely on coastal environments. A more holistic approach can be taken here, which incorporates



natural environments as a whole and considers the four well-beings of our communities with particular regard to our soil health, landscapes, and the changing of land use.

4. The Role of Central Government

We are thankful to have the opportunity to consult with central government on this topic. Consultation and collaboration ensures the most equitable results moving forward.

Conversely, central government's new way of consulting by giving a high level summary of the objectives, outcomes, and options does not provide enough detail to fully consider the proposal. It appears that this is our only opportunity to comment on such a significant issue. More consultation between local government and central government would lead to more equitable reforms with greater local government buy-in.

5. The Role of Local Government

The infrastructure section of the document does not clearly reflect the role local government, and especially territorial authorities, have in providing infrastructure. This section should highlight how central government and territorial authorities can work together to better provide for resilient infrastructure.

Furthermore, more detail is required in how local government will fund their additional responsibilities under the National Adaptation Plan and the overall impact this will have on the ratepayers. Further work is also needed to understand the litigation risk for local government for previous decisions (e.g. where we have set minimum floor levels, but new data through the RSS has revealed these are insufficient). As well as this, more investigation is needed around insurance and how the schemes will work in practice.

Closing Statement

Thank you again for providing the engagement material to Matamata-Piako District Council, and giving us the opportunity to provide feedback. We hope that you consider our feedback and that it is useful to the Ministry for the Environment in shaping the National Adaption Plan. Please feel free to engage with us if you have any questions in regards to our feedback.



8 Ngā Pūrongo Whakamārama | Information Reports

Te Aroha Spa Governance Group - Minutes of June 2022

CM No.: 2594492

Rāpopotonga Matua | Executive Summary

The purpose of this report is to provide Council an opportunity to discuss the Te Aroha Spa Governance Group minutes of the meeting held on 7 June 2022. The minutes are attached to the agenda.

Tūtohunga | Recommendation

That:

1. The information be received.

Horopaki | Background

Following the 2021-31 Long Term Plan process Council formed the view that the Te Aroha Spa Development project should proceed in a staged manner.

A key step in the project's early stages was formation of a Project Governance Group (PGG) responsible for the strategic direction and oversight of the project, and this came together in April 2021.

The intention is that the minutes of the PGG meetings will be reported to the Council or Corporate & Operations Committee. Council can then make decisions on issues considered and recommended by PGG, as required.

Ngā Tāpiritanga | Attachments

 (UNCONFIRMED) Te Aroha Spa Governance group minutes 7th June 2022



Ngā waitohu | Signatories

Author(s)	River Price Governance Support Officer	
Approved by	Niall Baker Policy Team Leader	
	Erin Bates Strategic Partnerships and Governance Manager	

AGENDA/MINUTES

MEETING	Te Aroha Spa Project Governance Group	
DATE	7/6/2022	
TIME	1pm	
VENUE	Board Room, MPDC offices, Te Aroha	
PRESENT	Barry Harris, Norm Hill (by Teams)), Jill Taylor, Francis Pauwels, Ash Tanner, Kiri Goulter	
Support staff	Physical attendance – Graham Shortland (GS) (Project Manager), River Price (Governance Support Officer) ,	
External	Jonathan Albery, Greenstone Group (by Teams) Craig Jones (in person), James White (by Teams), Charles Davidson (by Teams)	
APOLOGIES	Niall Baker	
FILE REF	CM2535208	
PURPOSE	Governance Group hui	
ISSUE	COMMENT/ACTION	BY WHOM/WHEN
Karakia	1.18pm	Norm Hill
Confirmation of Minutes from the 7 April 2022	1.19pm	Barry Harris
Matters arising	No matters arising	
Visitor Solutions update (VS)	<p>Craig presented a bird's eye image of the Te Aroha Domain area and discussed the areas of possible development interest as well as raising both pros and cons within those areas.</p> <p>The challenges/issues he raised were</p> <ul style="list-style-type: none"> • Pipes & Maintenance due to silica • Access • Costly to develop in some areas • Shading on the Southern side <p>Craig raised 2 questions to the Governance Group</p> <ol style="list-style-type: none"> 1. The Budget 2. How the project will be funded 	Craig Jones

	<p>Barry: We need Craig and his team's expertise to come up with 3 designs for the new facility, needs to be special and unique; the design principles and insights document was provided to help guide but relying on the expertise to come up with something special; don't get too constrained by financial considerations at this stage, within reason needs to have the WOW factor, something unique, the team will then look at how they can work the chosen design into the future budget/funding plan. Consideration of different ways of funding will be looked at when conversations have been had around the design options.</p> <p>Norm: Need to make sure that the designs encompass the cultural side of Te Aroha and there were also discussions around making sure that the designs had those unique elements that will position this product in the market to help make it different to other facilities/operators in New Zealand.</p> <p>Craig threw out a concept about floating boardwalks between AS06 & AS07 area sort of like an octopus concept where there with Spa pods and hot springs around the place still making it a centralized area but still private for guests to enjoy</p> <p>AS07 area can also be an access point for guests or even a maintenance shed, only concerns for the area would be shading.</p> <p>This conversation raised the issue of are we looking into too many different options when we should maybe be focused on one area which lead into discussion around where we should be understanding the pros and cons of each location before taking the next steps to ensure that any issues that come up are raised early on. Craig will come back with information in next couple of weeks.</p> <p>Barry reiterated the design principles and insights document, getting those 3 designs out without that financial restraint in mind, within reason.</p> <p>Jill: For Craig, Jill and Norm are available to assist with input and guidance of iwi perspectives.</p>	
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Charles and James	<p>Charles and James came online and presented a PowerPoint with their design thoughts and insights.</p> <p>As operators of Hot springs/Spa businesses themselves they shared their enthusiasm and thoughts on the project and the good potential it has if done right. Discussions were:</p> <ul style="list-style-type: none"> • From the first trip the big opportunity in their mind was up the hill, the potential physical restraints would be constructing on a hillside. • Discussion on need to cater for people with mobility issues and a variety of guest types; having enough carparks • Potential for the entry to the facility/reception area to be up near the geyser, there's adjacent Council land that could be used for car parking • Because the Spa is central, guests may stay in the area and walk from their accommodation to the Spa location • The Te Aroha Spa doesn't just have to be a geothermal water experience , you can dive into a journey of wellness by utilising saunas, steam room, forest bathing, and actively engage people by hot spring wellness, make people feel they are going on a journey into wellness which is driven by the uniqueness of the hot springs but engaging with other activities so even though we may be limited by the number of hot pools there are other experiences for customers; ; there is potential to create other experiences with a little bit of creativity. Start at a certain scale and then scale up as demand grows • The site has the potential to drive significant visitation; will be on doorstep of the Auckland market • The culture of bathing is growing • Core focus should be appeal to the domestic market, so a long term product that won't be hindered by events such as 'Covid' and other 'black swan' events • There is potential for packages and linking up with other products and experiences that are already available as a spa is not enough to keep people staying multiple nights in the area • Strongly advocating for in the earlier stages to think beyond the boarder and developing relationships with other 	
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	<p>tourism and retail operators in the market.</p> <ul style="list-style-type: none"> • Regeneration was discussed in the report that was circulated • Importance of accommodation in the area and having access to good quality accommodation, build accommodation so that it's ready and available prior; gives the operator a reason to put back into the business and great for the town to have money flowing back into the local area and the growth that can come from the activity. <p>Charles put together a concept plan to show the governance team which James spoke to on the following</p> <ul style="list-style-type: none"> • In the concept plan it shows a spa pod area with your hot pools, cold pools, Spa room and relaxation area which creates that modern day experience that is different to other modern day experiences • People value nature and this concept goes into the hills/nature part • Town has the essence of a good hospitality location which the assumption that it will grow once the project is finished • Access into the hills will play a big part with costs as well as land stability <p>Francis discussed that looking at that particular concept there's a potentially light footprint from a construction point a view.</p> <p>Thoughts on hospitality within the new facility were raised by Kiri; Charles's advice was that it's not an area that makes money it's more of a service and that service could be provided from local eateries, if accommodation was provided then it will be a must but for the day experience technology could be used to work with local food establishments so that food can be ordered and delivered to people using the facility, but for now keeping the main focus on the spa experience.</p> <p>Jill highlighted to James and Charles that there is an importance of the use of the water and making sure that the cultural principals are incorporated in the design.</p> <p>James says that the spaces of relaxation are a great space to provide that cultural story.</p>	
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Project programme Jonathan from Greenstone group	<p>Graham: currently in the process of procuring the services of an architect, QS, civil engineer and planner so that they're in position to proceed once decisions are made to go ahead. Consultancy firms in the report were selection of those Greenstone have worked with historically and those listed on the Council's Professional Service Panel.</p> <p>Graham: PGG members expressed an interest at the April meeting to see the list of firms before any were engaged.</p> <p>Discussion around selecting an architect now or delaying. The choice of architects could be influenced by the design plans/sketches following the Visitor Solutions options assessment work.</p> <p>Graham: from the Visitor Solutions work there will be sketches of each option and a preliminary architectural brief.</p> <p>Decision was to park the procurement of the architect until more was known about possible design from the options assessment work</p> <p>Discussions around a consultants procurement plan and what that will look like</p> <p>Kiri: need to consider the project managers who will take this forward. Where does Greenstone fit in?</p> <p>Graham: Greenstone are contracted to get us to a certain point. They know that we need to procure the services of a project management consultancy for future, is in the programme</p>	
Risk register Lesley Steeples (MPDC risk manager)	<p>Lesley/Graham provided an update with the following:</p> <ul style="list-style-type: none"> Potential risks from DOCs perspective have fallen away as the Te Aroha Domain is recreational reserve status so is not an issue for DOC to do what's being contemplated Is well understood that we will need a resource consent Main risk currently being managed is on ecology in the potential development area. Professor Clarkson from Waikato University has had a preliminary bush 	

	<p>walk. Advises that the lower bush line is highly modified. Main issue would be Kanuka as is listed on threatened species list. If Kanuka plants are disturbed by developing new facilities this could potentially be mitigated by replanting new Kanuka to compensate.</p> <ul style="list-style-type: none"> • Tonkin Taylor are being brought on board to do the ecology study. This is a terrestrial study looking at vegetation and animal species – birds, bats and lizards have been mentioned. • Based on current discussions with Tonkin Taylor, they would do their field investigations w/c 20 June their report on preliminary findings would be available at the beginning of July <p>Kiri: is now the right time to do the study?</p> <p>Graham: it's a bit chicken and egg as we don't know where any new facility will be sited but believe it's best to know if there are any ecology related issues sooner than later. It'll be a broad study area due to the unknown location of a new facility.</p> <p>Tonkin Taylor are well regarded in this space.</p> <p>Agreement to proceed with the ecology study.</p> <p>Norm raised the issue of potential risk for Kauri die back disease and mitigating that.</p>	
<p>Communications Update Andrea Durie</p>	<p>Andrea unable to make it for this topic due to personal reasons</p> <p>Graham: Andrea will be putting out a community update soon. We're working to communication plan in terms of who, what and when.</p>	
<p>Project managers report Graham Shortland</p>	<p>Geothermal water resource consent</p> <p>Met on site with Regional Council staff in April, they're interested in consideration of the waste water being reinjected into the geothermal field being greater consideration. WSP are managing the consenting process.</p> <ul style="list-style-type: none"> - WSP are preparing a technical report, indication is that they don't think reinjection is a good idea in this instance 	

	<ul style="list-style-type: none"> - Norm is doing the cultural assessment report, mana whenua are not supportive of reinjecting waste water back into the wai. <p>Discussion on proposal from Charles, making another visit with James Mugavin.</p> <p>Jill: We don't want parallel processes going on, Charles and James work need to be integrated with Craig as project lead.</p> <p>Can be Craig's decision around Charles and James Mugavin making a visit. Graham to discuss this with Craig and to share Charles's presentation with Craig.</p> <p>Jill-we need to be working towards the business case.</p> <p>Ash- raises concern about Craig being able to deliver</p> <p>Members agreed that James and Charles work needs to integrate with Craig. Graham to action.</p> <p>Graham: Alternative fresh water supplies –is in the early stages, assessing the various bores dotted in and around the Domain and what they might be capable of; needing to get an assessment of the raw water quality coming from Mill Road system</p> <p>Financials – Is around \$700k unspent from this year's budget. This will be rolled through to fund project activity up to end of October 2022. Council did not approve the multi-year budget submitted, will wait to see what comes from the options assessment work.</p>	
General/next meeting Barry Harris/Norm Hill	General discussions were around managing Charles and James and their interest in the project, need to control this aspect and ensure no actual conflict of interest arises. Barry believes this can be managed.	
	<p>Next meeting date: 28th July 2022, 9am to 2pm. This will be to workshop the draft options assessment report</p> <p>Graham to discuss with Craig about dates for having 2 or 3 interim online meetings for updates before the next meeting on 28 July.</p>	

8 Ngā Pūrongo Whakamārama | Information Reports

Safety and Wellness Update - May 2022

CM No.: 2595378

Rāpopotonga Matua | Executive Summary

The monthly Safety & Wellness Update for May 2022 is attached to the agenda. Kate Stevens, Safety & Wellness Team Leader, in attendance to discuss the report with the committee.

Tūtohunga | Recommendation

That:

1. The information to be received.

Ngā Tāpiritanga | Attachments

[A↓](#). May 2022 Safety and Wellness Update



Ngā waitohu | Signatories

Author(s)	Kate Stevens Safety and Wellness Team Leader	
Approved by	Kelly Reith People, Safety and Wellness Manager	
	Don McLeod Chief Executive Officer	

Safety & Wellness Monthly Update: May 2022

Covid-19 Update:

This month our Vaccination Policy was reviewed after feedback from staff via a survey, and as a result:

- The requirement for Vaccine Pass at Domain House Beauty was removed.
- Risk assessments for the positions currently requiring vaccination are being reviewed, using the new public health factors and with input from position holders, union reps, H&S reps and Executive Team. Vaccination requirements have been removed from the Events Team and Facilities Team positions as a result of these risk assessment reviews. Other teams will work through their reviews by the end of June.
- Teams are also reviewing their Covid plans and considering how they can transition to a 'new normal' way of working. Many are continuing with a hybrid model, working from home and in the office to continue to manage business continuity risk.

We had fairly steady rates of positive Covid staff cases averaging 6 per week through the month of May and by the end of the month a total of 83 staff had tested positive with Covid so far this year. This is 27% of our total staffing.

Critical risk update:

The process of critical risk review provides an opportunity for us to ensure that we are managing these key risks in a consistent way across the organisation, and to identify further opportunities for improvement. The chart below shows our progress on our organisation-wide review of the risks. Review of the Plant, Machinery and Equipment risk commenced in May and further information about this risk is provided on the second page. In June we will schedule review of the remaining risks (excavation, confined space and work at height), with the aim of completing these by the end of 2023.



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Plant, Machinery and Equipment Critical Risk

This critical risk incorporates a wide range of risks for MPDC and is relevant for many of our teams.

Injury or ill-health can arise through:

- Mechanical hazards (e.g. being struck, entrapped, entangled, crushed or cut)
- Falling from or being struck by mobile plant
- Electrical hazards
- Heat or radiation
- Release of hazardous substances
- Ergonomic hazards
- Noise



Here are some examples of plant and equipment used by MPDC staff and contractors:

- Pumps, screens and filtration systems at SwimZone facilities and Water/Waste Water Treatment Plants
- Tools and equipment such as concrete saw, chainsaw, compactors, table saw, wood chipper, stump grinder and angle grinder
- Mobile plant e.g. front end loader, grader, forklift, mower, roller, elevated work platform
- Cranes e.g. truck mounted crane, mobile crane, winches
- Compactors and loaders used for solid waste disposal

Controls for this risk include:

- ♦ Eliminating hazards at the design phase—this is the most effective control
- ♦ Fixed or removable machine guarding
- ♦ Two-hand controls (can only be operated using both hands)
- ♦ Interlocking guards (automatic cut-out to prevent access)
- ♦ Pressure-sensitive lock-out systems (e.g. the mower stops when the operator is not in the seat)
- ♦ Training and supervision
- ♦ Emergency stop devices
- ♦ Safe operating procedures
- ♦ Scheduled inspection and maintenance
- ♦ Lockout and isolation systems
- ♦ Personal protective equipment
- ♦ Health monitoring e.g. hearing tests



Review process

Starting in June we will be reviewing this risk across the organisation. This is a big task and we anticipate it will be completed by the end of 2022 at the earliest.

Some of our equipment is designed for rescue or prevention of injury when the unexpected happens. In June the Safety and Wellness team will start the process of visiting our sites to check that this equipment is being maintained and is accessible when needed. They will also check that any new plant/equipment has been risk assessed and added to Vault.



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